

**DECISION NOTICE AND REPORT OF HANDLING**

Application address - 25 George Square Edinburgh EH8 9LD

Application Ref. No - 16/03527/FUL

Review Ref No - 16/00123/REVREF

Review Lodged Date 02.12.2016

COPY

Heath - Architect + Stone Consultant.  
The Coach House  
Aldershot  
Haddington  
EH41 3SF

Mr And Mrs Simon Vickers  
25 George Square  
Edinburgh  
EH8 9LD

Date: **6 October 2016**,

Your ref:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

**DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS  
2013**

Revised design of garden stair alterations to garden building.

At 25 George Square Edinburgh EH8 9LD

**Application No:** 16/03527/FUL

## DECISION NOTICE

With reference to your application for Planning Permission registered on 14 July 2016, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

**Conditions:-**

**Reasons:-**

1. The proposal is contrary to Edinburgh City Local Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the proposed stair is not justified and will diminish the interest of the listed building.
2. The proposal is contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas - Development, as neither preserves nor enhances the special character and appearance of the conservation area
3. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as where acceptable, access stairs should be in-keeping with the character of the building..

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 1-5, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

Proposals do not comply with the development plan and non-statutory guidance as the proposed stair will neither preserve nor enhance the character or appearance of the conservation area and will have a detrimental impact on the character of the listed building.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Barbara Stuart directly on 0131 529 3927.

*D R Leslie*

David R. Leslie

Acting Head of Planning and Building Standards

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at eplanning (<https://eplanning.scotland.gov.uk/WAM/>) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Report of Handling

Application for Planning Permission 16/03527/FUL

At 25 George Square, Edinburgh, EH8 9LD

**Revised design of garden stair alterations to garden building.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	16/03527/FUL
<b>Wards</b>	A15 - Southside/Newington

## Summary

---

Proposals do not comply with the development plan and non-statutory guidance as the proposed stair will neither preserve nor enhance the character or appearance of the conservation area and will have a detrimental impact on the character of the listed building.

## Links

---

**Policies and guidance for this application**    LPC, CITE4, CITE6, NSG, NSLBCA, OTH, CRPSSI,

# Report of handling

## Recommendations

---

1.1 It is recommended that this application be Refused for the reasons below..

## Background

---

### 2.1 Site description

Terraced Georgian townhouse with access to the rear via basement. Dating from 1767-1779 and designed by James Brown, George Square was the earliest, largest and most ambitious scheme of unified town planning attempted in Edinburgh to date. No. 25 represents one of the few remaining buildings on George Square still privately owned and used as a dwelling and is consequently less altered than adjacent buildings with an institutional use.

A listed (ref. LB28810) listed on 14/12/1970, amended on 13/06/2016.

### 2.2 Site History

25.01.13 - Planning permission and listed building consent granted for new metal balcony and stair. Alterations to existing sash and case window to form sash door (12/02910/FUL and 12/02911/LBC) (these consents have now lapsed)

15.10.07 - Mixed decision to part approve and part refuse permission to demolish existing out building, erect new garage and form new access from George Square Lane (07/03580/FUL and LBC)

01.08.2007 - Planning permission and listed building consent granted for alterations to include re-arrangement of basement to form self contained flat, installation of kitchen on ground floor, replacement of fireplace on ground floor, refurbishment of bathrooms on first and second floors, installation of bathroom on attic floor and refurbishment of kitchen on attic floor (07/01817/FUL and 07/01816/LBC)

## **Main report**

---

### **3.1 Description Of The Proposal**

This application proposes to form an external steel stair with timber treads to the rear of the property from the bedroom window on ground floor down to garden level.

The existing window will be converted to a door as per the design of the previous consent (12/02910/FUL and 12/02911/LBC) . With respect to the free standing flat roofed outbuilding in the garden, it is proposed to replace the roof with a large pitched glazed cupola. Existing sash and case windows in this structure will be converted to French doors.

This application proposes to form an external steel stair with timber treads to the rear of the property from the bedroom window on ground floor down to garden level.

The existing window will be converted to a door as per the design of the previous consent (12/02910/FUL and 12/02911/LBC) . With respect to the free standing flat roofed outbuilding in the garden, it is proposed to replace the roof with a large pitched glazed cupola. Existing sash and case windows in this structure will be converted to French doors.

Ground floor flat within sandstone constructed tenement, 1772, category A listed (item no. 28818), South Side Conservation Area.

09.07.2007 - consent granted for alterations, including rearrangement of basement to form self-contained flat (07/01817/FUL).

01.08.2007 - consent granted for alterations, including rearrangement of basement to form self-contained flat (07/01816/LBC).

15.10.2007 - mixed decision issued for demolition of existing out building, erection of new garage and formation of new access from George Square Lane (07/03580/FUL).

15.10.2007 - mixed decision issued for demolition of existing out building, erection of new garage and formation of new access from George Square Lane (07/03580/FUL and 07/03580/LBC). Demlition of outbuilding and new garage refused on grounds of loss of significant listed structure and detrimental effect on appearance of conservation area and setting of listed building respectively.

Ground floor flat within sandstone constructed tenement, 1772, category A listed (item no. 28818), South Side Conservation Area.

09.07.2007 - consent granted for alterations, including rearrangement of basement to form self-contained flat (07/01817/FUL).

01.08.2007 - consent granted for alterations, including rearrangement of basement to form self-contained flat (07/01816/LBC).

15.10.2007 - mixed decision issued for demolition of existing out building, erection of new garage and formation of new access from George Square Lane (07/03580/FUL).

15.10.2007 - mixed decision issued for demolition of existing out building, erection of new garage and formation of new access from George Square Lane (07/03580/FUL and 07/03580/LBC). Demlition of outbuilding and new garage refused on grounds of loss of significant listed structure and detrimental effect on appearance of conservation area and setting of listed building respectively.

The property is a category A listed terraced house from the 18th century. It has a front basement area and rear garden. The garden contains a small stone outbuilding close to the rear, and has a pedestrian gate leading on to private lane behind.

The house to the immediate south has the rear wall removed to give access to a rear car park. Other vehicle accesses and pedestrian gates exist on the lane. Garages exist in gardens in the north section of the terrace but lie well below the outer wall. A previous garage at the end of the garden to no 27 is now removed.

The site lies in the South Side Conservation Area.

## **Site History**

9.7.2007 - planning permission granted for minor alterations 07/01817/FUL

1.8.2007 - listed building consent granted for internal alterations 07/01816/LBC

The property is a category A listed terraced house from the 18th century. It has a front basement area and rear garden. The garden contains a small stone outbuilding close to the rear, and has a pedestrian gate leading on to private lane behind.

The house to the immediate south has the rear wall removed to give access to a rear car park. Other vehicle accesses and pedestrian gates exist on the lane. A wide un gated breach exists in the immediately adjacent wall to the south. Garages exist in gardens in the north section of the terrace but lie well below the outer wall. A previous garage at the end of the garden to no27 is now removed.

The site lies in the South Side Conservation Area.

## **Site History**

9.7.2007 - planning permission granted for minor alterations 07/01817/FUL

1.8.2007 - listed building consent granted for internal alterations 07/01816/LBC

Entrance to open carpark (14 spaces) at rear of University Library, located on the north side of George Square Lane. The site lies to the north of the Meadows.

The site is within the Southside Conservation Area.

No relevant history.

## **3.2 Determining Issues**

### 3.3 Assessment

To address these determining issues, it needs to be considered whether:

- a) the proposals will preserve or enhance the character or appearance of the conservation area;
- b) the proposals will have an adverse impact on the character of the listed building;
- c) any comments have been addressed.

a) The Southside Conservation Area Character Appraisal notes of George Square that "This inward looking Georgian square of small scale residential character has been opened up by modern large scale institutional buildings which contrast in scale and style leaving the Georgian remnants isolated .... (and) George Square itself has suffered considerable disruption to its original form with the major buildings erected by the University."

It also states that "Classical Georgian buildings, originally residential, occur on George Square, Buccleuch Place and Buccleuch Street, which were all laid out by James Brown in the 1760s and 70s. These buildings retain their original railings, details and setted streets."

The application relates to a significant A listed building that is unusual for being one of the few relatively unaltered buildings original to George Square. The current application is, in part, for the addition of a steel stair to access the garden from the first floor window that is to be converted into a door. The stair would be U shaped in plan. Traditionally the garden was accessed via the basement and, despite permission to the permission to subdivide the basement off to form a separate flat (application 07/01817/FUL), the basement remains within the overall townhouse, and this access to the garden via the basement is still available.

The previous scheme (12/02910/FUL and 12/02911/LBC) was arrived at after negotiations produced an amended scheme that deleted a timber stair of the same configuration as the stair in this current application and replaced it with a minimal metal spiral stair. This spiral stair received consent because it was in a relatively concealed location and was a light and minimal structure designed with traditional cast iron detailing. The structure now proposed would be much more substantial and would be much more visually dominating. The steel construction would have a

utilitarian character that is at odds with the character of the building and the area. Although the drawings indicate that it will not be able to be seen because it will be blocked by the new cupola on the outbuilding, were this application to be granted, the stair could be constructed and the cupola may not. The proposed stair will neither preserve nor enhance the character and appearance of the conservation area.

The proposed door that is to replace the sash and case window is to be a traditionally designed and is acceptable. Likewise the proposed alterations to the outbuilding will not be detrimental to the character of the conservation area.

b) The previous scheme (12/02910/FUL and 12/02911/LBC) was arrived at after negotiations produced an amended scheme that deleted a timber stair of the same configuration as the stair in this current application and replaced it with a minimal metal spiral stair. External stairs are not normally supported on the rear of listed buildings where there is no pattern of existing stairs, and this spiral stair received consent because it was in a relatively concealed location and was a light and minimal structure designed with traditional cast iron detailing. The structure now proposed would be much more substantial and would be much more visually dominating. The steel construction would have a utilitarian character that is at odds with the character of the building. The proposed stair is not a characteristic feature of the rear of these significant Georgian villas and the proposed stair would be of detriment to the special character of the building.

A very large extension has received permission immediately to the north, is used as part of the Catholic chaplaincy. This is not to be seen a precedent for alterations to other properties on George Square. The proposed stair is not necessary to the beneficial use of the building as the successful use of the building as a dwelling will work without this alteration. The stair will adversely affect the special interest of the building.

The proposed door that is to replace the sash and case window is to be a traditionally designed and is acceptable. Likewise the proposed alterations to the outbuilding will not be detrimental to the character of the listed building.

c) No comments have been submitted.

In conclusion, although the proposed alterations to the outbuilding and the window are acceptable, the proposed stair will neither preserve nor enhance the character or appearance of the conservation area and will have a detrimental impact on the character of the listed building.

- a) the proposals will have an adverse impact on the character of the listed building;
- b) the proposals will preserve or enhance the character or appearance of the conservation area;
- c) any comments have been addressed.

a) The application relates to a significant A listed building that is unusual for being one of the few relatively unaltered buildings original to George Square that is still in use as a dwelling. The current application is, in part, for the addition a steel stair to access the garden from the first floor window that is to be converted into a door. The stair would be U shaped in plan. Traditionally the garden was accessed via the basement and, despite permission to the permission to subdivide the basement off to form a separate flat (application 07/01817/FUL), the basement remains within the overall townhouse, and this access to the garden via the basement is still available.

The previous scheme (12/02910/FUL and 12/02911/LBC) was arrived at after negotiations produced an amended scheme that deleted a timber stair of the same configuration as the stair in this current application and replaced it with a minimal metal spiral stair. External stairs are not normally supported on the rear of listed buildings where there is no pattern of existing stairs, and this spiral stair received consent because it was in a relatively concealed location and was a light and minimal structure designed with traditional cast iron detailing. The structure now proposed would be much more substantial and would be much more visually dominating. The steel construction would have a utilitarian character that is at odds with the character of the building. The proposed stair is not a characteristic feature of the rear of these significant Georgian villas and the proposed stair would be of detriment to the special character of the building.

A very large extension has received permission immediately to the north, is used as part of the Catholic chaplaincy. This is not to be seen a precedent for alterations to other properties on George Square. The proposed stair is not necessary to the

beneficial use of the building as the successful use of the building as a dwelling will work without this alteration. The stair will adversely affect the special interest of the building.

The proposed door that is to replace the sash and case window is to be a traditionally designed and is acceptable. Likewise the proposed alterations to the outbuilding will not be detrimental to the character of the listed building.

a) The Southside Conservation Area Character Appraisal notes of George Square that "This inward looking Georgian square of small scale residential character has been opened up by modern large scale institutional buildings which contrast in scale and style leaving the Georgian remnants isolated .... (and) George Square itself has suffered considerable disruption to its original form with the major buildings erected by the University."

It also states that "Classical Georgian buildings, originally residential, occur on George Square, Buccleuch Place and Buccleuch Street, which were all laid out by James Brown in the 1760s and 70s. These buildings retain their original railings, details and setted streets."

The proposed stair would add an uncharacteristic feature on the rear of this listed building that will have a utilitarian character. Although the drawings indicate that it will not be able to be seen because it will be blocked by the new cupola on the outbuilding, were this application to be granted, the stair could be constructed and the cupola may not. The proposed stair will neither preserve nor enhance the character and appearance of the conservation area.

b) No comments have been submitted.

In conclusion, although the proposed alterations to the outbuilding and the window are acceptable, the proposed stair will neither preserve nor enhance the character or appearance of the conservation area and will have a detrimental impact on the character of the listed building.

Character of this part of South Side Conservation Area is defined as 1960s international style overlaid on planned residential formality of George Square. However, scale of gardens, mature landscaping, original railings and street furnishings give square coherence.

Relevant planning guidelines state acceptability of new external access stairs will depend on existence of other authorised stairs within row or terrace of buildings, quality of elevation and public visibility.

In this case, there are no authorised external rear stairs within terrace. However, architectural integrity of many properties in terrace have been compromised by later extensions as a result of occupation by University of Edinburgh. Also, significant percentage of rear elevation of this building at basement level is visually obscured by historic outbuilding. Furthermore, rear garden backs onto private lane and this along with vegetation within garden will ensure that new external stair is inconspicuous from public viewpoints.

Given this particular situation, new rear stair can be accommodated without significant visual disruption to rear elevation or overall character of conservation area.

Proposed rear stair and balcony has been amended to minimum size structure which allows external access to garden with landing only as opposed to function balcony. Structure will be discreetly located behind existing outhouse and connect to only one window on left hand side of rear elevation. Original scheme proposed inappropriately dominant timber stair coming off balcony which stretched across two of three windows at first floor level.

New traditional style spiral stair will be constructed in metal, painted black, which is keeping with original ironwork in terrace. Existing window cill will be lowered, existing top sash of original window will be retained and new single-leaf, semi-glazed door will be installed below. This door will comprise replica lower sash with timber lined section at base which will be painted stone colour to retain visual consistency of original cill height. Visual impact of altered window will therefore be minimal.

No privacy concerns as neighbouring property closest to proposed stair has existing rear extension across full width of property.

Character of this part of South Side Conservation Area is defined as 1960s international style overlaid on planned residential formality of George Square. However, scale of gardens, mature landscaping, original railings and street furnishings give square coherence.

Relevant planning guidelines state acceptability of new external access stairs will depend on existence of other authorised stairs within row or terrace of buildings, quality of elevation and public visibility.

In this case, there are no authorised external rear stairs within terrace. However, architectural integrity of many properties in terrace have been compromised by later extensions as a result of occupation by University of Edinburgh. Also, significant percentage of rear elevation of this building at basement level is visually obscured by historic outbuilding. Furthermore, rear garden backs onto private lane and this along with vegetation within garden will ensure that new external stair is inconspicuous from public viewpoints.

Given this particular situation, new rear stair can be accommodated without significant visual disruption to rear elevation or overall character of conservation area.

Proposed rear stair and balcony has been amended to minimum size structure which allows external access to garden with landing only as opposed to function balcony. Structure will be discreetly located behind existing outhouse and connect to only one window on left hand side of rear elevation. Original scheme proposed inappropriately dominant timber stair coming off balcony which stretched across two of three windows at first floor level.

New traditional style spiral stair will be constructed in metal, painted black, which is keeping with original ironwork in terrace. Existing window cill will be lowered, existing top sash of original window will be retained and new single-leaf, semi-glazed door will be installed below. This door will comprise replica lower sash with timber lined section at base which will be painted stone colour to retain visual consistency of original cill height. Visual impact of altered window will therefore be minimal.

The property is a category A listed undivided Georgian townhouse in the South Side Conservation Area. It was listed on 14.12.1970 ref. 28818 and bears a plaque relating it as a former home of Sir Walter Scott. Whilst having had several past uses it is currently a single private residence over four levels.

The application seeks removal of existing glass and insertion of sealed slimlite double glazed panes, retaining the existing timber frames. The scheme was amended to omit the stair windows (on the frontage) which still contain crown glass.

Windows vary in date and many appear to have had astragals reinstated in the 1980s following a previous 4 pane pattern in main rooms. Outer frames are all original (except one rear window) but only windows at attic and basement have original astragals throughout.

The upgrading of glass complies with current policy.

A basement level shutter which is currently 200mm shorter than the window is also to be adjusted (to marry with the actual window height).

It is recommended that the application is approved subject to the conditions attached and subject to the views of the Scottish Ministers.

The property is listed category A, ref 28818, listed on 14.12.1970. It lies in the South Side Conservation Area.

The application proposes a breach in the rear wall, and rebuilding of an existing outhouse (a former laundry) as a garage at the foot of the garden. Loss of this outbuilding is unnecessary and unacceptable.

Other garages exist on the lane. The garden to the immediate south is used entirely as a car park, with a wide ungated breach in the wall next to the proposed breach. However, the garage will be visible over the wall and will detract from the character of the lane. This is therefore unacceptable. The breach itself is acceptable as long as appropriately detailed. This is 3.3m wide, an appropriate width for a single vehicle access on a narrow lane. This is considerably narrower than the breach to the immediate south. The opening will maintain a lintel over it, maintaining the line of the wall. The principle of parking at the end of the garden in its own right is acceptable and meets other policy objectives. The gates in the breach are required to maintain the line of the edge and a condition is added requiring these to be in solid timber.

Lime-washing of the front basement area is acceptable as there is evidence that this previously existed. This is limited to the side walls and wall facing the frontage. This has a positive effect on the character of the conservation area.

It is recommended that the lime-washing and rear breach is approved subject to the conditions attached. It is recommended that the loss of the outbuilding and building of a garage are refused.

The property is listed category A, ref 28818, listed on 14.12.1970. It lies in the South Side Conservation Area.

The application proposes a breach in the rear wall, and rebuilding of an existing outhouse (a former laundry) as a garage at the foot of the garden. Loss of this outbuilding is unnecessary and unacceptable.

Other garages exist on the lane. The garden to the immediate south is used entirely as a car park, with a wide ungated breach in the wall next to the proposed breach. However, the garage will be visible over the wall and will detract from the character of the lane. This is therefore unacceptable. The breach itself, which is only 3.3m wide and will be gated, is acceptable as long as appropriately detailed.

Lime-washing of the front basement area is acceptable as there is evidence that this previously existed. This is limited to the side walls and wall facing the frontage.

It is recommended that the lime-washing and rear breach is approved subject to the conditions attached and subject to the views of the Scottish Ministers. It is recommended that the loss of the outbuilding and building of a garage are refused.

The property dates from 1772 and is listed category A, ref 28818, listed on 14.12.1970 and lies in the South Side Conservation Area.

External alterations are minor and have no effect on character.

Internally alterations largely relate to the basement area and are of little consequence. At ground floor a non-original and inappropriately proportioned fireplace is removed from the main front room and replaced by a more appropriate form, restoring fielded dado panelling to the side. A kitchen is added in a relatively plain room to the rear. Elsewhere the property is generally restored.

It is recommended that the application is approved subject to the conditions attached, and subject to the views of the Scottish Ministers.

The property dates from 1772 and is listed category A, ref 28818, listed on 14.12.1970 and lies in the South Side Conservation Area.

External alterations are minor and only require planning permission due to the Article 4 Direction in the area.

They have no effect on the character or appearance of the conservation area.

The "self-contained flat" within the basement acts as a granny flat within the property and does not require planning permission for this use.

It is recommended that the application is approved subject to the conditions attached.

The proposal is to install an automatic barrier to control access and security to the open car park to the rear of the University Library. The proposals comply with Council's policies on conservation and design.

The proposals are acceptable.

It is recommended that this application be Granted subject to the details below.

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.

#### **Reasons:-**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

### **Risk, Policy, compliance and governance impact**

---

**4.1** Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

### **Equalities impact**

---

**5.1** The equalities impact has been assessed as follows:

### **Consultation and engagement**

---

#### **6.1 Pre-Application Process**

#### **6.2 Publicity summary of representations and Community Council comments**

No representations have been received.

### **Background reading / external references**

---

- To view details of the application go to
- [Planning and Building Standards online services](#)

COPY

**David R. Leslie**

### **Statutory Development**

**Plan Provision** Located in the central area within the urban area in the Edinburgh City Local Plan.

**Date registered** 14 July 2016

**Drawing numbers/Scheme** 1-5

Scheme 1

Acting Head of Planning and Building Standards

Contact: Barbara Stuart, Senior planning officer  
E-mail: [barbara.stuart@edinburgh.gov.uk](mailto:barbara.stuart@edinburgh.gov.uk) Tel: 0131 529 3927

### **Links - Policies**

---

#### **Relevant Policies:**

#### **Relevant policies of the Edinburgh City Local Plan.**

Policy Env 4 (Listed Buildings – Alterations & Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

#### **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

#### **Other Relevant policy guidance**

**The South Side Conservation Area Character Appraisal** emphasises the harmonious scale, massing and materials and the significance of key institutional buildings within the area.

COPY

## Appendix 1

### Consultations

---

No consultations undertaken.

COPY

END

COPY